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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,201	02/14/2001	Seiji Umemoto	Q63077	9861

7590

12/23/2002

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EXAMINER

DUONG, TAI V

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 12/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/782,201

Applicant(s)

UMEMOTO ET AL.

Examiner

TAI DUONG

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) Z.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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The proprietary information disclosure statement dated 2/14/01 has been considered by the examiner.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 2 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by EP 0 895 141 (EP'141)

Note page 4, column 5, paragraph 0022 which identically discloses the claimed colored resin substrate which is formed of at least a mixture of a transparent resin and a colorant. The substrate is not thicker than 1 mm (page 12, paragraph 0102).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over EP'141 in view of Fukuchi et al.

As to claim 4, the choice of the black coloring agent in the resin substrate of EP'141 would have been an obvious matter of design choice for a person of ordinary skill in the art when the desired objective is to block or absorb light.

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As to claim 5, Fukuchi et disclose that it was known to employ a resin substrate having a glass transition of not lower than 90 C for providing sufficient heat resistance during the required working process (col. 2, lines 49-59). Although the EP'141 does not disclose the lower limit of the glass transition temperature of the resin substrate, it would have been obvious to a person of ordinary to select a resin having a glass transition temperature not lower than the temperatures of the different steps of the process for preventing damages to the resin substrate, as evidenced by Fukuchi et al.


Claims 1, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu et al in view of EP'141 and Tanaka.

Lu et al disclose in Fig. 1 a LCD device similar to that of the instant claims except for the colored resin substrate being used in place of the color-imparting layer 18 on the substrate surface 16. Tanaka discloses that it was known in the LC art to reduce the thickness of the LCD by using dual function elements. For example, Tanaka discloses the use of a polarizer which also has a function of the substrate. Thus, it would have been obvious to a person of ordinary skill in the art in view of EP'141 and Tanaka to employ a colored resin substrate, instead of the color imparting layer and the substrate, in Lu's device for reducing the thickness and the weight of the LCD device.

Any inquiry concerning this communication should be directed to TAI DUONG at telephone number 703 308-4873.

TD
TVD

12/02


JAMES DUDEK
PRIMARY EXAMINER